

1 HONORABLE JUDGE ROSANNA PETERSON

2 HEATHER C. YAKELY, #28848  
3 EVANS, CRAVEN LACKIE, P.S.  
4 W. 818 Riverside  
5 Suite 250, Lincoln Building  
6 Spokane, WA 99201  
7 (509) 455-5200  
8 Attorneys for Defendants

9

10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF WASHINGTON

12 CORY J. ROSEN, an individual,

13 Plaintiff,

14 vs.

15 PEND OREILLE COUNTY, a local  
16 government entity, PEND OREILLE  
17 COUNTY SHERIFF ALAN  
18 BOTZHEIM, an individual, PEND  
19 OREILLE COUNTY SHERIFF'S  
20 DEPARTMENT, a local government  
21 entity, and UNDERSHERIFF  
22 GRANT SIREVOG, an individual,

23 Defendants.

24  
25 CASE NO.: CV-15-00153-RMP

26 DEFENDANTS' TRIAL WITNESS  
27 LIST

28  
29 COMES NOW, Defendants' Pend Oreille County, Pend Oreille County  
30 Sheriff's Department, Sheriff Alan Botzheim and Undersheriff Grant Sirevog by  
and through their undersigned counsel, Heather C. Yakely of Evans, Craven &

DEFENDANTS' TRIAL WITNESS LIST

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1 Lackie, P.S., and hereby provides the following list of Possible Trial Witnesses  
2 pursuant to the Court's Scheduling Order:

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4 1. Corey J. Rosen;  
5 C/o Collette C. Leland  
6 Kami M. Smith  
7 Winston & Cashatt  
8 601 W. Riverside, Suite 1900  
9 Spokane, WA 99201-0695  
509-838-6131

10 It is anticipated that Plaintiff will testimony regarding his personal  
11 knowledge of his employment, termination, and other information that is subject  
12 to this litigation.

13  
14 **All Pend Oreille County Sheriff's Office employees, Pend Oreille  
15 County employees listed below are to be contacted c/o Evans, Craven &  
16 Lackie, P.S., 818 W Riverside, Lincoln Plaza, Suite 250, Spokane, WA 99201.**

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18 2. Sheriff Alan Botzheim, Defendant;

19 It is anticipated that Sheriff Botzheim will testify as to his personal  
20 knowledge of Cory Rosen's employment, disciplinary actions, Last Chance  
21 Agreement, policies and procedures of the Sheriff's Office Employment and  
22 ultimate termination of Plaintiff and any other personal knowledge he may have  
23 that is the subject of this litigation.

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25 3. Undersheriff Grant Sirevog, Defendant;

26 It is anticipated that Undersheriff Sirevog will testify as to his personal  
27 knowledge of Cory Rosen's employment, disciplinary actions, Last Chance  
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29 **DEFENDANTS' TRIAL WITNESS LIST**

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1 Agreement policies and procedures of the Sheriff's Office Employment, and  
2 ultimate termination. He will also testify as to the information and his personal  
3 knowledge of the information that was released to various requesting entities after  
4 Mr. Rosen's termination.

5

6       4. POC SO Sergeant Questin Youk;  
7                   Performance Evaluator/Direct Supervisor

8

9       It is anticipated that Sgt. Youk will testify as to his personal knowledge of  
10 Cory Rosen's employment, disciplinary actions, insubordination and other  
11 employment issues with Plaintiff and his knowledge as Mr. Rosen's supervisor of  
12 the incidents which led up to Mr. Rosen's discipline in 2012 - 2013 and eventual  
13 termination.

14

15       5. POC SO Sergeant Glenn Blakeslee;

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17       It is anticipated that Sgt. Blakeslee will testify as to his personal knowledge  
18 of the Investigation into Cory Rosen's formal complaint #13-00005 regarding  
19 insubordination and his knowledge of the policies and procedures that Mr. Rosen  
20 violated. . He will also testify as Mr. Rosen's supervisor to his personal knowledge  
21 of Mr. Rosen's actions and behaviors that led to his 2012-2013 discipline and  
22 eventual termination.

23

24       6. Dolly Hunt, Pend Oreille Prosecuting Attorney;

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26       It is anticipated that Ms. Hunt may testify as to her personal knowledge of  
27 Cory Rosen's employment, letter of recommendation and termination as well as  
28 Pend Oreille County's Police and Procedures.

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30 DEFENDANTS' TRIAL WITNESS LIST

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1           7. Pend Oreille County Deputy Prosecutor Schmidt;

2           It is anticipated that C.O. Doughty and Higgins may testify as to their  
3 personal knowledge of the Jail Investigation completed by Rosen and information  
4 provided to Deputy Rosen. Deputy Prosecutor Schmidt may testify as to his  
5 knowledge regarding the information he received from deputy Rosen's jail  
6 investigation and his charging decisions based on the investigation and reports.

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9           8. Dawn Taylor, Administrative Assistant;

10          It is anticipated that Dawn Taylor may testify as to the retention of personnel  
11 files and information that was released regarding Cory Rosen.

13

14          9. Steve Bruchman;  
15                   Union Representative

16          It is anticipated that Steve Bruchman may testify as to his personal  
17 knowledge of the 2012 Internal Investigation re: Insubordination regarding Sgt.  
18 Youk and Cory Rosen's Last Chance Agreement.

20

21          10. Joe Kuhn;  
22                   Union Representative

23          It is anticipated that Joe Kuhn may testify as to his personal knowledge of  
24 the Loudermill Hearing for Cory Rosen arising from the 2013 Jail Investigation  
25 Rosen completed and Finding that Rosen failed to report a potential sex crime in  
26 the Corrections facility.

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DEFENDANTS' TRIAL WITNESS LIST

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1 11.Ron Pederson, Dept. of Corrections;  
2 12.Kimberly Allen-Holman, Dept. of Corrections;  
3 C/o Carl Warring, #27164  
4 Attorney General of Washington  
5 Torts Division  
6 1116 W. Riverside, Suite 100  
7 Spokane, WA 99201-1106  
8 509-456-3123

9  
10 It is anticipated that Ron Pederson and Kimberly Allen-Holman will testify  
11 as to their knowledge of Rosen's application for employment and termination  
12 therefrom.

13 13.Sgt. Jack Simington, Kennewick P.D.;  
14 211 W. 6<sup>th</sup> Avenue  
15 P.O. Box 6108  
16 Kennewick, WA 99336  
17 509-585-4208

18 14.Detective R. Layman, Sunnyside P.D.;  
19 401 Homer Street  
20 Sunnyside, WA 98944  
21 509-836-6200

22 It is anticipated that Sgt. Jack Simington and Detective Layman may testify  
23 as to their knowledge of Rosen's applications for employment, and any  
24 communication they had with Pend Oreille County.

25 15.Jeff Hawkins, DOC Employee;

26 It is anticipated that Mr. Hawkins may testify as to his conversations with  
27 D.O.C. regarding Mr.Rosen's employment and any other personal information he  
28 may have regarding knowledge that is the subject of this litigation.

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30 DEFENDANTS' TRIAL WITNESS LIST

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1           16. Shelly Peters, Former Human Resources Manager;  
2           County Public and Health Legislative Building  
3           P.O. Box 1506  
4           Walla Walla, WA 99362

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6           It is anticipated that Shelly Peters may testify as to her knowledge of the  
7           Counties Policies and Procedures regarding personnel files and her knowledge of  
8           Mr. Rosen's termination

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10           17. Don Gronning, Miner Reporter  
11           421 S. Spokane Street  
12           Newport, WA 99156  
13           509-447-2433  
14           [minernews@povn.com](mailto:minernews@povn.com)

15

16           It is anticipated that Mr. Gronning will testify as to from whom *The Miner*  
17           received Cory Rosen's termination/hearing documents.

18

19           18. Michael Brasfield  
20           Michael Brasfield & Associates, Inc.  
21           641 Olele Point Road  
22           Port Ludlow, WA 98365-9437  
23           [brasfield@commandscene.com](mailto:brasfield@commandscene.com)

24

25           It is anticipated that Mr. Brasfield will testify regarding his conclusions  
26           contained in his Expert Report, and is expected to testify regarding police practices  
27           and policies and his opinions regarding the actions of Pend Oreille County  
28           Sheriff's Department regarding Mr. Rosen and his termination.

29           Defendants reserve the right to call any and all witnesses listed by all parties.

30           DEFENDANTS' TRIAL WITNESS LIST

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1 Defendants additionally reserve the right to disclose supplemental trial  
2 witnesses should Defendant discover further information relevant in this matter.  
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4 DATED this 4<sup>th</sup> day of August, 2016.

5 EVANS, CRAVEN & LACKIE, P.S.  
6

7 By s/ Heather C. Yakely  
8 HEATHER C. YAKELY, #28848  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 4<sup>th</sup> day of August, 2016, I electronically filed the foregoing with the Clerk of the Court using CM/ECF System. Which sent copies to the following:

Collette C. Leland: [ccl@winstoncashatt.com](mailto:ccl@winstoncashatt.com)

Kammie Mencke-Smith: [kms@winstoncashatt.com](mailto:kms@winstoncashatt.com)

# EVANS, CRAVEN & LACKIE, P.S.

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